

Simple Signal, Inc.  
34232 Pacific Coast Hwy,  
Dana Point, CA 92629  
October 28, 2005

**VIA ELECTRONIC FILING**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: **Subscriber Acknowledgement Report; WC Docket Nos. 04-36 and 05-196**

Dear Ms. Dortch:

Please accept this Subscriber Acknowledgement Report for October 28, 2005 on behalf of Simple Signal, Inc. ("Simple Signal").

On August 2<sup>nd</sup>, 2005, Simple Signal sent out the required notice and acknowledgement form to all nine (9) of our customers via email. The acknowledgement is attached as Addendum A of this document.

**Current Percentage of Acknowledgements**

As of October 28<sup>th</sup> 2005, we have received only one response from our customers. Giving us an effective current percentage of acknowledgement from our email of 11%. However, in the interim between August 2, 2005 and October 28, 2005, we implemented a system-wide porting of all of our customers to Level 3's Enhanced Local Service (ELS) platform which, to our understanding, is E911 compliant if used in a static application. Further, our Service Agreement clearly states in multiple very visible places, the issues involved with VoIP service and E911. 100% of our customers have signed the Service Agreement that they have read and understand the possible 911 limitations as stated in our Agreement.

**Efforts Undertaken to Obtain Acknowledgement from Remainder of Subscriber Base:**

We have called unresponsive customers for their acknowledgements, but our efforts have not resulted in the desired compliance. We understand that our current percentage to the acknowledgement is not acceptable and are launching an email, letter and call campaign the week of October 31<sup>st</sup> through November 4<sup>th</sup>, 2005 to obtain 100% compliance or advise customers that failure to provide affirmative acknowledgement by November 4<sup>th</sup>, 2005 could result in a possible "soft" or "hard" disconnect if that drastic action is deemed

necessary. We are also implementing a plan to label all phones and ensure acknowledgement signoff during the sales process and prior to installation. With this new process, we are ensuring that our customers sign a separate E911 acknowledgement in addition to our language in the Service Agreement.

Our greatest concern revolves around nomadic use of our IP phones, which are intended for static use only. We will be notifying our customers in the above referenced campaign that our service should only be used as a static application and that the phone should only be used at the address that the customer provides during the sales cycle and which appears in the Acknowledgement Form. To ensure compliance with this static strategy, we are also designing and are considering implementing a technology solution that will disable phones and make them unusable if they are moved from the static, MSAG validated address of the customer that is required for porting to the Level 3 ELS platform and is signed off on the Acknowledgement form. In this way, we would effectively block nomadic use of our service which would take it out of E911 compliance. Further efforts have been made to investigate solutions as provided by such companies as Telecommunication Systems (TCS) and Entrado to understand the complexities of E911 and other solutions that include nomadic use of VoIP. It is very important to our company that we provide a dependable solution and make sure that our customers understand the limitations of VoIP.

If you have any questions regarding this Acknowledgement, please contact me at 303-242-8601 and/or at [Derk@simplesignal.com](mailto:Derk@simplesignal.com).

Respectfully Submitted,  
Derk Bolton  
Vice President of Operations

## Addendum A

Dear Simple Signal VoIP Customer,

### IMPORTANT E911 DISCLOSURE ADDENDUM FOR Simple Signal, VOIP CUSTOMERS

The Federal Communications Commission ("FCC") recently adopted an order that requires Simple Signal INC., like all Voice Over Internet Protocol ("VoIP") service providers, to inform its customers of any differences between the E911 access capability available with Simple Signal VoIP Services as compared to the E911 access capability available with traditional telephone service. (A copy of this FCC order is available at <http://www.fcc.gov/cgb/voip911order.pdf>.)

We ask that you carefully read this E911 Disclosure Addendum and understand how these differences affect your ability to access E911 services. If you have any questions or concerns about the information contained in this notice, or if you do not understand anything discussed in this notice, please contact us at (800) 873-7670, during the hours of 8 a.m. to 5 p.m. MST Monday through Friday.

The following paragraph applies specifically to Simple Signal VoIP Services:

#### NON-AVAILABILITY OF TRADITIONAL 911 OR E911 DIALING SERVICE.

Currently, the Simple Signal VoIP service does not support traditional 911 or E911 access to emergency services in all locations. If you are not comfortable with the limitations of the service, you should consider having an alternate means of accessing traditional 911 or E911 services or terminating the Service. You should maintain alternate means of contacting 911 or E911 emergency services and you must inform your users of these alternate means if you require access to 911 or E911 emergency services.

The FCC's E911 VoIP decision also requires Simple Signal to obtain and keep a record on file showing that your company has received and understood this E911 Disclosure Addendum. Simple Signal respectfully requests your assistance in meeting this FCC compliance requirement.

Please respond IMMEDIATELY to this Addendum by printing and faxing an executed copy of this document to Simple Signal at 720-228-2236. **If we do not receive your reply promptly, we may be required by the FCC Order to suspend your service until we receive your reply.**

By responding to this Addendum, you are affirmatively acknowledging that (1) you have read and understood this E911 Disclosure Addendum, (2) you understand that you may not be able to contact emergency services by dialing 9-1-1 using Simple Signal VoIP Services, and (3) you understand that you must

inform users of Simple Signal VoIP Services that they will not be able to contact emergency services by dialing 9-1-1 using Simple Signal VoIP Services.

COMPANY NAME:

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COMPANY POINT OF CONTACT EMAIL:

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AUTHORIZED CUSTOMER REPRESENTATIVE NAME:

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CUSTOMER SIGNATURE:

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DATE: \_\_\_\_\_

FAX TO: 720-228-2236